IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 78961-M of 2006

DATE OF DECISION : 01.02.2007

Baljit Singh

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. N.S. Pawar, Advocate,
for the petitioner.

Mr. N.S. Gill, AAG, Punjab.

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Petitioner Baljit Singh has filed this petition under Section 439 of the Code of Criminal Procedure for the grant of regular bail in case FIR No. 75 dated 9.4.2006 under Sections 302/307/323/324/148/149 IPC and Sections 25/27/54/59 of the Arms Act, registered at Police Station Kharar.

I have heard counsel for the parties and gone through the contents of the FIR as well as the order dated 9.12.2006, passed by Additional Sessions Judge, Rupnagar, whereby bail to the petitioner has been declined.

Counsel for the petitioner contends that as per the prosecution version, petitioner raised lalkara and fired in air. Undisputedly, no injury was caused by the petitioner to any one. Counsel further contends that co-accused of the petitioner, namely Gurnam Singh, Satnam Singh and Sandeep Singh, who according to the prosecution have not caused any injury to the deceased, but caused injuries to the witness, have been granted regular bail by this court in Crl. Misc. No. 53174-M of 2006, 63508-M of 2006 and 64227-M of 2006, respectively. These facts have not been disputed by the State Counsel.

The petitioner is in custody since 27.10.2006 and supplementary challan qua him is stated to have been filed on 31.1.2007.

Keeping in view the aforesaid facts, without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner and he is, accordingly, ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial court.

February 01, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**